

MEMORANDUM OF UNDERSTANDING

Utah Department of Transportation and Federal Highway Administration

Alternative Contracting Process – SEP 14 *Construction Manager General Contractor (CMGC)*

The Utah Department of Transportation (UDOT) and Federal Highway Administration (FHWA) are by this Memorandum agreeing to the following the Construction Manager General Contractor (CMGC) process. FHWA has found UDOT's SEP-14 work plan for the CMGC method to be satisfactory and has granted the FHWA Utah Division discretion in selection of the number and type of projects. The program will follow the process outline in the attached documents; Alternative Contracting Process, SEP 14 and the CMGC flowchart processes.

Type and Number of Projects

UDOT and FHWA have agreed to evaluate a limited number of projects. The projects will be varied by type, size, complexity and geographic region.

- The program will consist of a total of up to 24 projects over two years.
 - Each Region will be able to select up to 6 projects.
 - Each Region will have projects that consist of the following:
 - Local Government
 - Bridge
 - ITS
 - "Large" Project
 - Mixed Construction Projects (e.g. rest areas, landscape, railroad, utility).

Stewardship

The FHWA Utah Division and UDOT Engineering Services Division (ESD) will have stewardship of the program. UDOT ESD will be responsible for the management of the program including overall program consistency, administration of RFP's and publication of reports.

Project Selection

UDOT/FHWA will semiannually approve a program of projects.

Region Recommendation – Semiannually each Region will identify a list of projects they wish to be considered for the CMGC contracting process.

Project Screening – Each project will be screened for justification, geographic location and project type. Project justification will include a comparison of using Design/Build vs. Design/Bid/Build vs. CMGC. The comparison of the three contracting methods may include an evaluation of risk, schedule, design, environmental, material availability and innovation.

UDOT ESD Recommendation – UDOT will submit a letter of recommendation to the FHWA Utah Division for program/project approval.

FHWA Approval – Final approval for the use of CMGC on a project will require FHWA approval.

Measures and Reporting

Project Measures and Reporting

Each project will require an initial report prepared at the conclusion of Phase I (construction NTP). A second and final report will be required at the conclusion of Phase II (final acceptance). Each report will discuss the evaluation criteria applicable to the project as well as any other factors deemed significant. Topics of discussion should include design and constructability innovations, project schedule, risk, learning opportunities, environmental stewardship and benefit to the public.

Program Measures and Reporting

UDOT will submit an annual report to the FHWA Utah Division at the beginning of the Federal fiscal year. The following items to be included in the report:

- Introduction
- Summary of Projects (includes descriptions, locations, construction costs and design costs)
- Budget analysis
- Schedule Analysis
- Change Orders
- Lessons Learned
- Innovations

Approval of Memorandum of Understanding

Utah Department of Transportation

Stan Burns, P.E.
Director of Engineering Services & Bridge Design

Date

Federal Highway Administration

Gregory Punske, P.E.
Project Delivery Team Leader

Date

cc: Gregory Punske, FHWA Utah Project Delivery Team Leader
Carlos Bracerias, Deputy Director
Jim McMinimee, Director of Project Development
Ahmad Jaber, Director of Systems Planning & Programming
Darrell Giannonatti Director of Construction and Materials
Stan Burns, Director of Engineering Services & Bridge Design
UDOT Project Managers/Region Directors